

GRANTOR:
ESTATE OF ANER LIZA WALKER
JIMMIE D. HAILEY, EXECUTOR
TO

RIGHT-OF-WAY DEED

GRANTEE:
CITY OF SOUTHAVEN
A MUNICIPAL CORPORATION

FOR AND IN CONSIDERATION OF (\$ 2,570.00) TWO THOUSAND FIVE HUNDRED AND SEVENTY DOLLARS AND NO CENTS AND OTHER GOOD AND VALUABLE CONSIDERATION, I, JIMMY D. HAILEY THE ESTATE OF A.L. WALKER, **ARTRELLE WALKER HURT, JIMMIE D. HAILEY (aka, JIMMY D. HAILEY) the Executor of the Estate of ANER LIZA WALKER**, DOES HEREBY CONVEY AND WARRANT INTEREST IN THE FOLLOWING DESCRIBED TRACT ACROSS PREMISES BELONGING TO SAID GRANTOR, TO **THE CITY OF SOUTHAVEN**, A MUNICIPAL CORPORATION. SAID TRACT TO BE ADDITIONAL RIGHT-OF-WAY NEEDED FOR THE PURPOSE OF IMPROVING ELMORE ROAD, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

INDEXING INSTRUCTIONS: SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 7 WEST

A PART OF TAX PARCEL 7, BEING LOCATED IN THE S/E QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 7 WEST, IN DESOTO COUNTY, MISSISSIPPI AS DESCRIBED IN WILL BOOK 31, PAGE 369, IN THE CHANCERY COURT CLERK'S OFFICE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE COMMONLY ACCEPTED SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 7 WEST, DESOTO COUNTY MISSISSIPPI; THENCE N00°05'46"E A DISTANCE OF 2521.59 FEET TO A POINT; THENCE S88°29'29"E A DISTANCE OF 56.95 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE S88°29'29"E A DISTANCE OF 9.69 FEET TO A POINT; THENCE S00°47'41"W A DISTANCE OF 325.90 FEET TO A POINT ON THE SOUTH PROPERTY LINE OF THE WALKER TRACT; THENCE N90°00'00"W A DISTANCE OF 9.42 FEET TO A POINT ON THE EAST RIGHT OF WAY OF ELMORE ROAD; THENCE NORTHWARDLY ALONG SAID EAST ELMORE RIGHT OF WAY FOR THE FOLLOWING CALLS:

N01°54'52"E A DISTANCE OF 44.90 FEET TO A POINT;
N00°00'00"E A DISTANCE OF 42.37 FEET TO A POINT;
N01°17'39"E A DISTANCE OF 121.78 FEET TO A POINT;
N00°00'00"E A DISTANCE OF 117.12 FEET TO THE POINT OF BEGINNING;
CONTAINING 2861.33 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

AND ALSO, TEMPORARY CONSTRUCTION EASEMENT (1):

COMMENCING AT THE COMMONLY ACCEPTED SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 7 WEST, DESOTO COUNTY MISSISSIPPI; THENCE N00°05'46"E A DISTANCE OF 2521.59 FEET TO A POINT; THENCE S88°29'29"E A DISTANCE OF 66.64 FEET TO THE

Grantee's Address:
City Of Southaven
8710 Northwest Drive
Southaven, Ms. 38671
Wk.Tel: (662) 280-2489
Hm. Tel: N/A

Grantor's Address:
5382 Elmore Rd
Southaven, MS 38671
Wk.Tel.: 901-830-0935
Hm Tel: 901-830-0935

Prepared by,
Return To:
City Engineer's Office
* 8710 Northwest Drive
Southaven, Ms. 38671
Wk Tel (662) 393-2991
Hm Tel N/A

(CONT.)

TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE S88°29'29"E A DISTANCE OF 10.00 FEET TO A POINT; THENCE S00°47'41"W A DISTANCE OF 325.64 FEET TO A POINT ON THE SOUTH PROPERTY LINE OF THE WALKER TRACT; THENCE N90°00'00"W A DISTANCE OF 10 FEET A POINT, THENCE N00°47'41"E A DISTANCE OF 325.90 TO THE POINT OF BEGINNING; CONTAINING 3257.69 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

SEE: "ATTACHMENT B"

AND ALSO, TEMPORARY CONSTRUCTION EASEMENT (2):

BEGINNING AT A POINT AT THE INTERSECTION OF THE EAST RIGHT OF WAY OF ELMORE ROAD AND A SOUTH LINE OF THE WALKER TRACT AS RECORDED IN DEED BOOK 31, PAGE 369 OF THE CHANCERY COURT CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI; THENCE NORTHWARDLY ALONG SAID EAST ELMORE RIGHT OF WAY FOR THE FOLLOWING CALLS: N00°00'00"E A DISTANCE OF 21.00 FEET TO A POINT; N03°46'20"E A DISTANCE OF 34.20 FEET TO A POINT; N00°54'40"E A DISTANCE OF 62.88 FEET TO A POINT; N00°00'00"E A DISTANCE OF 20.12 FEET TO A POINT ON THE NORTH PROPERTY LINE OF THE WALKER TRACT; THENCE S88°44'11"E A DISTANCE OF 9.33 FEET TO A POINT; THENCE S01°06'38"W A DISTANCE OF 138.05 FEET TO A POINT; THENCE N89°22'33"W A DISTANCE OF 9.90 FEET TO THE POINT OF BEGINNING; CONTAINING 1275.53 SQUARE FEET OR 0.03 ACRES, MORE OR LESS.

SEE: "ATTACHMENT A"

ALL TEMPORARY CONSTRUCTION EASEMENTS TO BECOME NULL AND VOID UPON COMPLETION OF THE PROJECT.

THE GRANTOR HAS BEEN GIVEN A COPY OF THE CITY OF SOUTHAVEN' S ORDINANCE ON REQUIRING REIMBURSEMENT OF PUBLIC FUNDS SPENT TO ACQUIRE PUBLIC EASEMENTS AND/OR RIGHT OF WAY AND BY SIGNING THIS DOCUMENT INDICATES THAT THEY HAVE READ AND UNDERSTAND THE ORDINANCE REQUIREMENTS AND THAT THE ORDINANCE RUNS WITH THE LAND. THE CITY OF SOUTHAVEN AGREES TO REPLACE ANY FENCE AND MAILBOX WHICH IS REMOVED FOR THE PURPOSE OF WIDENING ELMORE ROAD FROM THE PREMISES OF THE ABOVE LANDOWNERS WITH A FENCE AND MAILBOX OF EXISTING MATERIALS.

THIS AGREEMENT TOGETHER WITH OTHER PROVISIONS OF THIS GRANT SHALL CONSTITUTE A COVENANT RUNNING WITH THE LAND FOR THE BENEFIT OF THE GRANTEE, ITS SUCCESSORS AND ASSIGNS. THE GRANTORS DO COVENANT THAT THEY ARE THE OWNERS OF THE ABOVE MENTIONED LAND AND THAT SAID LAND IS FREE AND CLEAR OF ALL ENCUMBRANCES AND LIENS EXCEPT THE FOLLOWING:

- JUDGEMENT C02007-1590
- EASEMENTS AND RIGHTS-OF-WAY LYING ON OR ACROSS SAID PROPERTY, WHETHER PROPERLY RECORDED OR NOT, AND ANY FACTS DISCOVERED BY SURVEY OR INSPECTION OF SAID PROPERTY.

EXECUTED AND DELIVERED THIS 6th DAY OF July, 2012

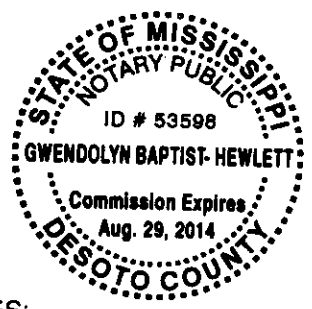
Jimmie D. Hailey
SIGNATURE

Jimmie D. Hailey
PRINTED NAME

Executor
TITLE

STATE OF Mississippi
COUNTY OF DeSoto

THIS DAY PERSONALLY APPEARED BEFORE ME, THIS UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, ON THIS 6th DAY OF July, 2012, WITHIN MY JURISDICTION, Marie Gales Knight, THE SUBSCRIBING WITNESS TO THE ABOVE AND FORGOING INSTRUMENT, WHO BEING FIRST DULY SWORN, STATES THAT HE SAW THE WITHIN NAMED Simmie D. Hailey, ^{EXECUTOR} WHOSE NAME IS SUBSCRIBED THERETO, SIGN AND DELIVER THE SAME TO THE CITY OF SOUTHAVEN, AND AFFIANT SUBSCRIBED HER NAME AS WITNESS THERETO IN THE PRESENCE OF SAME.

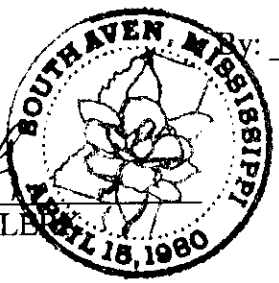


Marie Gales Knight
WITNESS'S SIGNATURE
Marie Gales Knight
WITNESS'S PRINTED NAME
[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

APPROVED AND ACCEPTED by the
City of Southaven
[Signature]
CHARLES G. DAVIS, MAYOR

ATTEST: [Signature]
SHELIA HEATH, CITY CLERK

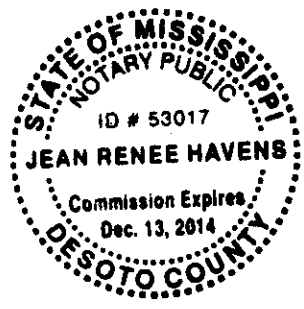


STATE OF MISSISSIPPI
COUNTY OF DESOTO

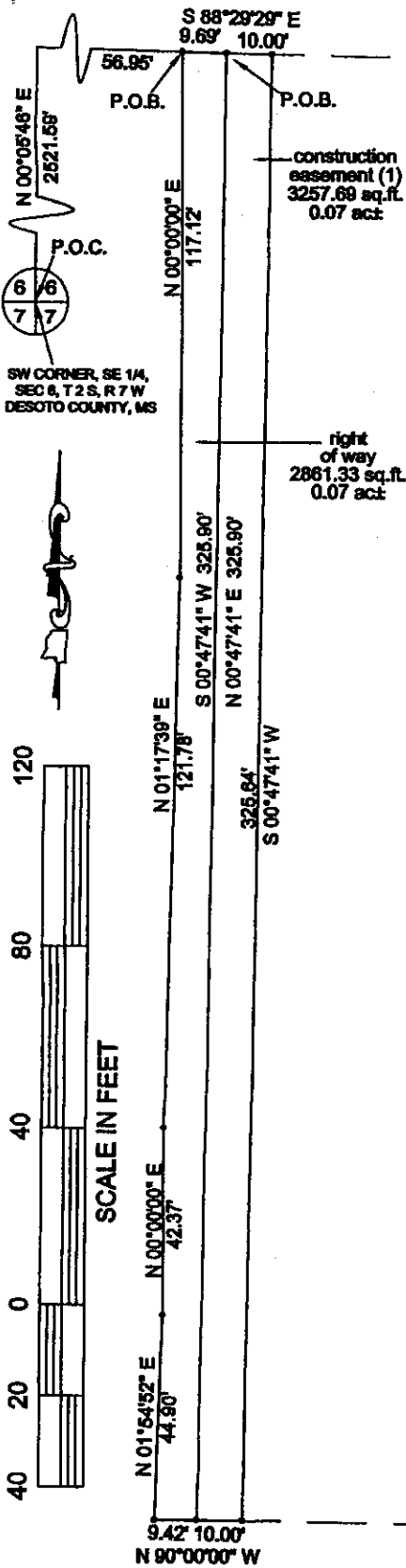
Personally appeared before me, the undersigned authority in and for the said county and state on this 20TH day of JULY, 2012, within my jurisdiction, the within named Charles G. Davis and Shelia Heath, who acknowledged that they are the Mayor and City Clerk, respectively, of the City of Southaven, and that in said representative capacity they executed the above and foregoing instrument, after first having been duly authorized so to do.

[Signature]
NOTARY PUBLIC

My Commission Expires:
12-13-14







WALKER
WILL BOOK: 31 PAGE: 369
PARCEL # 7
RIGHT-OF-WAY = 40' FROM C.L.

BRIDGEFORTH
DEED BOOK: 134 PAGE: 215

WALKER TRACT

RIGHT OF WAY

COMMENCING AT THE COMMONLY ACCEPTED SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 7 WEST, DESOTO COUNTY MISSISSIPPI; THENCE N00°05'48"E A DISTANCE OF 2521.59 FEET TO A POINT; THENCE S88°29'29"E A DISTANCE OF 56.95 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE S88°29'29"E A DISTANCE OF 9.69 FEET TO A POINT; THENCE S00°47'41"W A DISTANCE OF 325.90 FEET TO A POINT ON THE SOUTH PROPERTY LINE OF THE WALKER TRACT; THENCE N90°00'00"W A DISTANCE OF 9.42 FEET TO A POINT ON THE EAST RIGHT OF WAY OF ELMORE ROAD; THENCE NORTHWARDLY ALONG SAID EAST ELMORE RIGHT OF WAY FOR THE FOLLOWING CALLS: N01°54'52"E A DISTANCE OF 44.90 FEET TO A POINT; N00°00'00"E A DISTANCE OF 42.37 FEET TO A POINT; N01°17'39"E A DISTANCE OF 121.78 FEET TO A POINT; N00°00'00"E A DISTANCE OF 117.12 FEET TO THE POINT OF BEGINNING; CONTAINING 2881.33 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

CONSTRUCTION EASEMENT

COMMENCING AT THE COMMONLY ACCEPTED SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 7 WEST, DESOTO COUNTY MISSISSIPPI; THENCE N00°05'48"E A DISTANCE OF 2521.59 FEET TO A POINT; THENCE S88°29'29"E A DISTANCE OF 56.95 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE S88°29'29"E A DISTANCE OF 10.00 FEET TO A POINT; THENCE S00°47'41"W A DISTANCE OF 325.84 FEET TO A POINT ON THE SOUTH PROPERTY LINE OF THE WALKER TRACT; THENCE N90°00'00"W A DISTANCE OF 10 FEET TO A POINT, THENCE N00°47'41"E A DISTANCE OF 325.90 TO THE POINT OF BEGINNING; CONTAINING 3257.69 SQUARE FEET OR 0.07 ACRES, MORE OR LESS.

INDEXING INSTRUCTIONS: THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 7 WEST.

SANFORD
DEED BOOK: 208 PAGE: 101

ATTACHMENT B

NEEL-SCHAFER
Solutions you can build upon

5740 GETWELL ROAD, BUILDING 2
SOUTHAVEN, MS 38672
PH. (662)890-6404
FAX (662)890-6407

ELMORE ROAD
RIGHT OF WAY ACQUISITION
LOCATED IN: SECTION 6,
TOWNSHIP 2 SOUTH, RANGE 7 WEST
CITY OF SOUTHAVEN
DESOTO COUNTY, MISSISSIPPI

DATE: NOVEMBER 2010

DRAWN BY: L. SMITH

SCALE: 1" = 40'